

APPEAL NO. 021597
FILED JULY 24, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 24, 2002. The hearing officer determined that the claimant sustained a compensable repetitive trauma injury; that the date of injury (DOI) is _____; that the claimant timely notified her employer of her injury pursuant to Section 409.001; and that the claimant did not have disability.

The carrier appeals the determinations of injury, DOI, and notice, asserting that the claimant's work was not repetitive nor traumatic, that all the evidence shows a DOI of _____, and that, consequently, the claimant's notice of injury to the employer on January 7, 2002, was not timely under Section 409.001. The claimant responds urging affirmance, and in the response, timely filed as an appeal, requests reconsideration of the disability issue and a reversal in whole or part.

DECISION

Affirmed.

The issues in this case presented questions of fact for the hearing officer, who is the sole judge of the weight and credibility of the evidence, to resolve. Although another fact finder may well have reached a different result based on the facts presented, this is not a sound basis upon which to reverse the fact finder on a factual issue. Salazar, et al. v. Hill, 551 S.W.2d 518 (Tex. Civ. App.-Corpus Christi 1977, writ ref'd n.r.e.), Furthermore, we will affirm the decision of a hearing officer on any reasonable theory supported by the evidence. Daylin, Inc. v. Juarez, 766 S.W.2d 347, 352 (Tex. App.-El Paso 1989, writ denied).

Accordingly, the hearing officer's decision and order on all the disputed issues are affirmed.

The true corporate name of the insurance carrier is **TEXAS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**MR. RUSSELL R. OLIVER, PRESIDENT
221 WEST 6TH STREET
AUSTIN, TEXAS 78701.**

Thomas A. Knapp
Appeals Judge

CONCUR:

Michael B. McShane
Appeals Judge

Robert W. Potts
Appeals Panel